



Attorney Docket No. 270.PFUS
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dahl et al.

Serial No.: 10/540,794

Group No.: 1616

Filed: March 20, 2006

Examiner: Pryor, Alton N.

For: COMPOSITIONS AND METHODS FOR COMBINATION ANTIVIRAL THERAPY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE
MAILING DATE OF EITHER A FINAL ACTION OR NOTICE
OF ALLOWANCE (37 CFR 1.97 (c))**

**TIME TRANSMITTAL OF ACCOMPANYING INFORMATION
DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,whichever occurs first.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

Date:

January 17, 2007

Sharon A. Lira

(Type or print name of person mailing paper)

[Signature]
(Signature of person mailing paper)

CERTIFICATION OR FEE

2. Accompany this transmittal is

A. ☐ a certification as specified in 37 CFR 1.97 (e)

OR

B. ☒ the fee set forth in 37 CFR 1.17 (p) for submission of an information disclosure statement under § 1.97 (c). (\$180.00).

FEE PAYMENT

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17 (p) for submission of an information disclosure statement under § 1.97 (c). (\$180.00).

Fee due \$ 180.00

METHOD OF PAYMENT OF FEE

4.

☐ attached is check in the sum of \$ _____

☒ charge Account No. 07-1250 the sum of \$ 180.00

A duplicate of this request is attached.

If any additional fees are due, please charge Account No. 07-1250

Reg. No. 27,043

Tel. No.: (650) 522-5535



SIGNATURE OF ATTORNEY

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Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement.

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO - 1449 (Modified)
3. ☐ Identification of Prior Application in Which Listed Information Was Already Cited.

CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose. To the extent that this submission includes an International Search Report, such Report is submitted to facilitate the Examiner's analysis of the references and not out of any belief that the International Searching Authority's construction of the relevance of the references has any bearing under United States Law.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97 (g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

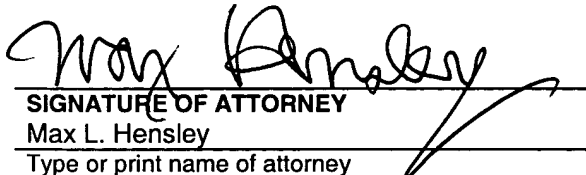
This application relies, under 35 U.S.C. 120, at least on the earlier filing dates of prior applications:

| | | | |
|-------------|------------|----------|------------------|
| Serial No.: | 60/440,308 | filed on | January 14, 2003 |
| Serial No.: | 60/440,246 | filed on | January 14, 2003 |

Copies of references are not supplied to the extent that they are found in the file history of the prior application(s). Copies of references that were not supplied in the prior application(s), if any, accompany this paper.

Reg. No. 27,043

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**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

(37 CFR 1.98(b))

Sheet 1 of 1

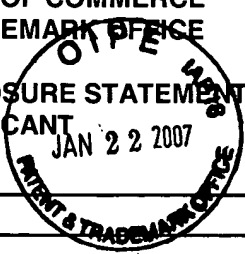
ATTY DOCKET NO.: 270.PFUS SERIAL NO.: 10/540,794

APPLICANT: Dahl et al

FILING DATE: 3/20/2006

GROUP ART UNIT: 1616

EXAMINER NAME:

**U.S. PATENT DOCUMENTS**

| Examiner initials | Cite No. | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|----------|-----------------|--------------------------------|--|--|
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FOREIGN PATENT DOCUMENTS

| Examiner initial | Cite No. | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T |
|------------------|----------|-------------------------|--------------------------------|--|---|---|
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NON PATENT LITERATURE DOCUMENTS

| Examiner initial | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T |
|------------------|----------|---|---|
| | | DE CLERCQ E., "Highlights in the Development of New Antiviral Agents", 2(2): 163-175, MINI REV MED CHEM, 2002 | |
| | | DE CLERCQ E., "New Developmentss in anti-HIV chemotherapy", 56(1-2): 3-12, Farmaco, 2001 | |
| | | DE CLERCQ E., "New Development in Anti-HIV Chemotherapy", 8(13):1543-72, CURRENT MEDICINAL CHEMISTRY, 2001 | |
| | | ISHIDA K, ASAO T., "Self-association and Unique DNA Binding Properties of the Anti-Cancer Agent TAS-103, a Dual Inhibitor of Topoisomerases I and II", 1587(2-3):155-163, BIOCHEM BIOPHYS ACTA, 2002 | |
| | | LIU ET AL., "Thymidylate Synthase as a Translational Regulator of Cellular Gene Expression.", 1587(2-3):174-182, BIOCHEM BIOPHYS ACTA, 2002 | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.